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S E C R E T SECTION 01 OF 03 KABUL 004188

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TAGS: [PGOV](#) [PREL](#) [AF](#)

SUBJECT: KARZAI INSISTS ON 2010 ELECTIONS: AFGHANS'  
"SUSPICIONS" WON'T PERMIT DELAY

REF: KABUL 4147

Classified By: Charge d'Affaires Ricciardone, Reasons 1.4 (b) and (d)

11. (S) Summary: In a contentious yet polite meeting with CDA Ricciardone, President Karzai insisted December 28, that he feels compelled to order the holding of elections "on schedule" (reftel) because the delays and deficiencies of the 2009 Presidential contest have left Afghan people suspicious that any significant deviation from the constitution was an international conspiracy to weaken the state. When pressed, he said that he planned to enact some "reforms" to the Independent Electoral Commission and that we "must help him" hold the elections; he also indicated, several times, that he would be open to our "arguments" in favor of a slight delay, from spring to fall of 2010 - asking us to "Bring me your proposals." CDA Ricciardone made it clear that the U.S. needed to see reform to key electoral institutions and the voter lists before the US could commit resources in support. In a separate meeting the same day with CODEL Israel, Karzai waved off Congressional concerns about a repeat of fraud in the prospective elections. End Summary.

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The Trauma of the 2009 Elections  
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12. (S) Although the expected IEC announcement did not surface on December 28 President Karzai told CDA Ricciardone and PolCounselor Pforzheimer that he and the senior political leaders of the country - from Parliament, the Supreme Court, and the IEC - were all agreed that the government must have the 2010 Parliamentary elections on time, as required by the Constitution. Karzai said that he had consulted with 140 MPs and that Lower House Speaker Qanooni assured him there was "unanimous" support for this; Embassy reporting shows much more nuance but it is likely that Qanooni, a political survivor, has assured a sizable Parliamentary majority in favor.

13. (S) When asked how he would reconcile his dilemma of the need to hold elections this spring versus the need for elections process reform made painfully evident by this past year's long and distracting Presidential contest, Karzai returned repeatedly to the "trauma" of the 2009 results process. He maintained his narrative that the Afghan people lost faith in the process through the machinations of the Electoral Complaints Commission and the international community, and that they no longer believe any foreign promises of reform. In particular, he pointed to the U.S.' alleged "promise" of a second round in the Presidential race which would have solidified the legitimacy of his second term, and exclaimed "I would hold another election tomorrow if I could" to erase this stain.

14. (S) Karzai revealed his state of mind by his persistent references to Afghans' "fear of the unknown" and need to "know what our allies are up to". He again referred to recent allegations against former UNAMA D/SRSG Peter

Galbraith that he had tried to depose Karzai following the election, then asked if international support for a delay of the elections is "a continuation" of Galbraith's alleged acts. "Tell Washington," he said, "there is a lot of suspicion in Afghanistan about the intentions of the international community... you are not dealing any more with a secure psyche" but instead a country that has gone through a "nightmare" they fear will recur.

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A Flawed Election is Better Than a Delay ...  
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¶5. (S) In view of this national fear, Karzai said, the best option is to press forward with elections that will "not be perfect" but at least will be on time. The credibility is secondary, he said; "even flawed elections are better than a delay." He noted the need to keep the Constitution intact at a point when it has been undermined and might be in jeopardy. "We cannot keep playing with the Constitution." He agreed that he saw the need to "correct" the elections law and to make the IEC stronger and more competent. He also wants to reform the ECC, which he repeatedly complained had "disappeared after dealing with the Presidential elections, and failed to discharge its duty to examine complaints about provincial council elections." (Note: Part of his concept of reform is no doubt to eliminate international positions. End note). He asked us to "help them" with resources and security.

¶6. (S) Repeatedly, Karzai and his advisors said that the country could go through "hell" and the disorder of a rising

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crime wave if the Constitutional order is again weakened by another delay of elections. There is time to enact some reforms before May, Karzai said; anyway, the United States had raised both reasons of reform and security to justify delay in the 2009 Constitutional elections dates, yet in the end, neither was in evidence. There is time to register new candidates and new voters, he said, dismissing our point that the 2009 elections had demonstrated that the voter registry is fatally flawed.

¶7. (S) Karzai acknowledged that the changes to the IEC and ECC must occur through amendments to the Electoral Law. Ricciardone pointed out that, per the Constitution, the Electoral Law cannot be changed within twelve months of a Parliamentary election. Karzai agreed that "Parliament cannot change it" but affirmed that he can, and plans to amend the elections law through a Presidential decree "with full force of law". (Note: Karzai is correct, he can issue a decree when Parliament is out session. End note.)

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... OK, A Small Delay Could be Arranged  
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¶8. (S) Despite his initial firm position on the timing as decreed by the Constitution ("please report this clearly to Washington"), several times during the second half of the meeting Karzai appeared to invite the U.S. to make a counter-argument for a specific delay until the fall. He at first stated "don't even try" (pushing a delay) but later said "we must hold them on time -- or, near to it" and "two or three months' difference is OK." He hedged that he wanted to hold the elections "in accordance with the Constitution -- to the best of our efforts." Karzai also acknowledged that some districts would be impossible to secure and that in those cases, later by-elections per province might be held. (Note: IEC Secretary Najifi reportedly responded to a journalist's question on December 28 that "the IEC will be ready to conduct the elections on time, but we cannot speak to the necessary financing or security measures." End Note.)

¶9. (S) Karzai assented that "we want to do it ourselves" and

"it's impossible for Washington or London to say they have good intentions" about the electoral reform agenda. Nonetheless, Karzai also asked Ricciardone to "come back to us soon with your suggestions for alternatives" to the May 2010 date and to "come back with your ideas (of reform) and convince us" to delay until the fall. (Comment: His entreaties had a quality trying to learn the U.S. bottom line for acceptable reforms which might unlock funding for the elections. Evidently he also was trying to shift the onus for resolving his dilemma on the U.S. and "the foreigners." End comment.)

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US Response: Reforms Are Vital; So Is Security  
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¶10. (S) Ricciardone told Karzai that it could not be the role of the international community to initiate a reform effort of Afghan electoral institutions -- this is where he must show leadership, which we could support. Ricciardone said that Americans now are "equally skeptical" as Afghans are of the other's intentions and also need to be convinced that the Afghan government is determined to improve its democracy. So much reform work needs to be done, he said, that to hold truly transparent and credible elections in the next five months appeared to us both impossible and an unnecessary risk of further "trauma" on the country. It was hard to conceive that the needed reforms and procedures could be accomplished in less than a year.

¶11. (S) Ricciardone noted that while the United States does not want to weaken the constitutional order in Afghanistan, holding elections which would not reflect any improvements on the flawed 2009 ballot would in its own way significantly weaken Afghan democracy -- as well as weakening U.S. and other international domestic political support for Afghanistan. Our objective was not to delay the elections, Ricciardone stressed, but to support what we understood was Karzai's own purpose: to strengthen Afghan democracy by reforming the elections process, whose flaws were clear in the 2009 experience. A delay probably would be necessary to accomplish this purpose, but should not be confused with the purpose itself. Karzai rejoined that the question of an unconstitutional delay was the issue, and he could not accept this.

¶12. (S) On security, Ricciardone pointed out that both training of Afghan National Security Forces and counter-insurgency operations could be delayed or derailed by

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another nation-wide election, setting back progress and making President Obama's politically bold strategy of increasing our support more vulnerable to domestic political attack. He noted that we shared the same purpose - strengthening democracy and Afghan institutions - but the U.S. saw different ways to achieve it, for example giving priority to an election that might not be on time but is "transparent, fair, secure and orderly." "As you lay out your determination to hold these elections, we urge you also to emphasize your plans for thorough reform of the electoral process," Ricciardone repeated, warning that elections that involve our funding and our troops must be based on confidence on both sides. An announcement focusing on the date of the 2010 parliamentary elections, while ignoring the need for reform, inevitably would expose Karzai to new and serious differences with the U.S. and international community at the outset of his new term. On the other hand, an announcement emphasizing a commitment to strengthening Afghan democracy through meaningful reform of the electoral process would offer us an opportunity to state our support, relegating the question of timing to secondary importance.

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CODEL Israel: Repeats the Message  
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¶13. (S) In a meeting later that same day, Karzai heard from visiting eight-member CODEL Israel that they want to see Afghanistan's government prioritize reforms over timeliness in the elections. They noted that it was difficult for American taxpayers to continue to accept the burden of supporting troops and development assistance without seeing "strong" reforms after last year's problem of fraud. Karzai responded that he planned to enact some reforms but needed "their ideas" about what they wanted to see. He rehearsed his narrative about the national "trauma" of the 2009 elections, and the unanimity of parliamentary support for elections in 2010. (Note: Delegation members who had met Karzai in the past informed us later that this was the "worst performance" they had seen from Karzai. End Note.) Karzai evidently was unaware that the CODEL was fresh from a meeting with speaker Qanooni, who told them that that the presidential elections had been problematic, people want transparency, and that it was important to change the IEC so it has real independence, change the elections law, and prevent executive interference.

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Comment  
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¶14. (S) While Karzai misstates both the national assignment of blame for the 2009 elections (most Afghans seem well aware of who had the vast majority of the disqualified votes) and the degree of his "total" support in Parliament, he is probably right that most Afghans would oppose a long election delay and would view it with deep suspicion. His unwillingness to admit that the IEC's bias is at the heart of the problem means that we and our international partners will have to keep pressing him and his Government to put in place the key reforms the international community has identified, and which would necessitate a delay. We have backgrounded local journalists on our views on the need for reform. By focusing on the need for reform and declining to take Karzai's bait on the timing issue, we expect to be able to contribute to and influence public debate and to support Afghan voices for reform.

¶15. (S) Nonetheless, we doubt that under any amount of pressure -- including an international community financial boycott or any threat to minimize security support -- Karzai would defer the election to 2011, as we judge would be necessary to begin to overhaul the elections process. Under these circumstances, Embassy Kabul will develop a policy option for discussion to divert funds now designated to support the Parliamentary elections into long-term institutional reforms that will improve the conduct of elections long after 2010, including the creation of a viable voter registry and a solid candidate vetting system.  
RICCIARDONE